

Jul 28, 2021

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JESSICA LYNN V.,¹

Plaintiff,

v.

KILOLO KIJAKAZI, ACTING
COMMISSIONER OF SOCIAL
SECURITY,²

Defendant.

NO: 1:20-CV-03231-LRS-1

ORDER GRANTING STIPULATED
MOTION FOR REMAND

BEFORE THE COURT is the Defendant's Stipulated Motion for Remand, ECF No. 18. Based on the stipulation of the parties, the Court finds good cause to grant the motion. Accordingly, **IT IS HEREBY ORDERED:**

1. Defendant's Stipulated Motion for Remand, **ECF No. 18** is **GRANTED**.


¹ The court identifies a plaintiff in a social security case only by the first name and last initial in order to protect privacy. *See* LCivR 5.2(c).

² Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Accordingly, the Court substitutes Kilolo Kijakazi as the Defendant and directs the Clerk to update the docket sheet. *See* Fed. R. Civ. P. 25(d).

2. This case is **REVERSED** and **REMANDED** for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).
3. On remand, the Appeals Council shall direct that this case be reassigned to a different Administrative Law Judge. The Appeals Council shall instruct the new Administrative Law Judge to offer Plaintiff the opportunity for a *de novo* hearing; re-evaluate Plaintiff's date last insured; further evaluate Plaintiff's residual functional capacity; obtain supplemental vocational expert evidence to assist in determining whether Plaintiff can perform her past relevant work or other work existing in significant numbers in the national economy; and issue a new decision.
4. Upon proper presentation, this Court will consider Plaintiff's application for costs, expenses, and reasonable attorney's fees under the Equal Access to Justice Act, 28 U.S.C. § 2412(a), (d).
5. Plaintiff's Motion for Summary Judgment, **ECF No. 14**, and the hearing and remaining briefing schedule are **VACATED** as moot.

IT IS SO ORDERED. The District Court Clerk is directed to enter this Order and provide copies to counsel. Judgment shall be entered for Plaintiff and the file shall be **CLOSED**.

DATED July 28, 2021.



LONNY R. SUKO
Senior United States District Judge